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PTO/SB/21 (09-04)
Approved for use through 07/31/2008. OMB 0851-0031
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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

17

| | |
|------------------------|------------------|
| Application Number | 09/940,564 |
| Filing Date | August 27, 2001 |
| First Named Inventor | Per Eld Ibsen |
| Art Unit | 2638 |
| Examiner Name | David C. Payne |
| Attorney Docket Number | 01485.0005-US-01 |

**RECEIVED
CENTRAL FAX CENTER**

NOV 10 2005

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2008. OMB 0551-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

*Effective on 12/08/2004.**Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).*

FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

| | | |
|--------------------------------|------|-----|
| TOTAL AMOUNT OF PAYMENT | (\$) | 300 |
|--------------------------------|------|-----|

| <i>Complete if Known</i> | |
|--------------------------|------------------|
| Application Number | 09/940,554 |
| Filing Date | August 27, 2001 |
| First Named Inventor | Per Eld Ibsen |
| Examiner Name | David C. Payne |
| Art Unit | 2638 |
| Attorney Docket No. | 01485.0005-US-01 |

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 50-1038 Deposit Account Name: Altera Law Group, LLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|--------------|-------------|--------------|------------------|--------------|----------------|
| | Fee (\$) | Small Entity | Fee (\$) | Small Entity | Fee (\$) | Small Entity | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | _____ |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | _____ |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | _____ |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | _____ |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | _____ |

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Small Entity | |
|--------------|----------------|----------|---------------|--------------|----------|
| | | | | Fee (\$) | Fee (\$) |
| 28 | - 20 or HP = 0 | x 25 | = 0 | 50 | 25 |

HP = highest number of total claims paid for, if greater than 20.

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | |
|---------------|---------------|----------|---------------|---------------------------|---------------|
| | | | | Fee (\$) | Fee Paid (\$) |
| 7 | - 3 or HP = 3 | x 100 | = 300 | 360 | 180 |

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

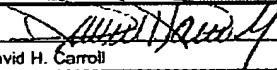
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 = | / 50 = | (round up to a whole number) x | = | Fee Paid (\$) |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

SUBMITTED BY

| | | | |
|-------------------|---|---|--------------------------|
| Signature |  | Registration No. (Attorney/Agent) 29,903 | Telephone (952) 253-4135 |
| Name (Print/Type) | David H. Carroll | | Date November 10, 2005 |

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments or the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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APPLICATION SERIAL NO. 09/940,554

PATENT

NOV 10 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Per Eld Ibsen, et al. Examiner: David C. Payne
Serial No.: 09/940554 Group Art Unit: 2638
Filed: August 27, 2001 Docket No.: 01485.0005-US-01
Title: WAVELENGTH DIVISION MULTIPLEXED DEVICE

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE U.S. PATENT AND TRADEMARK OFFICE, FAX NO. (571) 273-8300 NOVEMBER 10, 2005.

MICHELE A. READ
NAME OF PERSON SIGNING THIS CERTIFICATE

Michele A. Read
SIGNATURE

REPLY TO NON-FINAL OFFICE ACTION UNDER 37 C.F.R. §1.111

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Reply is submitted in response to the non-final Office Action dated August 10, 2005, setting a three month shortened statutory period for response that expires on November 10, 2005. Amendments to the claims are reflected in the listing of claims that begins on page 2. Remarks begin on page 10. This Reply contains no amendments to the specification or drawings. Further examination and reconsideration respectfully are requested.

11/14/2005 SFELEKE1 00000014 501038 09940554

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Page 1

Docket Number: 01485.0001-US-01
Response to Office Action of 08/10/2005